



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER-PRICE
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: October 31, 2012

09

TO: Board of Supervisors

SUBJECT: SIGNS AND BANNERS IN PUBLIC RIGHT OF WAY (DISTRICT: ALL)

SUMMARY:

Overview

On June 20, 2012 (1), the Board of Supervisors directed the CAO to evaluate the feasibility of placement of monument, gateway, community identification, and directional signs in the County maintained right of way, identify necessary amendments to Board policies and ordinances and report back to the Board in 120 days.

In recognition that signs welcome visitors and provide information about points of interest, historical places, and other attractions, many cities and counties across the state have policies and ordinances that allow certain types of signs to be placed in public right of way. Signs help tourists and out-of-town guests find services and points of interest, provide a sense of place for current residents and add to a community's character. The County of San Diego currently has policies and ordinances in place that significantly limit the placement of signage in County right of way.

In response to the Board's direction, this item is a request to receive a staff report entitled "Feasibility Report – Signs and Banners in the Public Right of Way." Additionally, staff recommends that the Board direct the CAO to initiate outreach with the community groups and external stakeholders in the development of technical guidelines and updated policies and ordinance to allow for the installation of signs and banners in the public right of way.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is exempt from CEQA review pursuant to Section 15061(b)(3) and 15262 of the state CEQA Guidelines.
2. Receive the report entitled "Feasibility Report - Signs and Banners in the Public Right Of Way".
3. Direct the Chief Administrative Officer to initiate outreach with community planning and sponsor groups, civic groups, and external stakeholders in developing technical guidelines using the applicant-driven process discussed in the feasibility

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report, amend relevant ordinances to allow the permitting and installation of certain signs and banners in the public right of way and return to the Board of Supervisors within one year for program consideration.

Fiscal Impact

Funds for this request are included in the Fiscal Year 2012-14 Operational Plan in the Department of Public Works Road Fund. There will be no change in net General Fund cost and no additional staff years.

Business Impact Statement

N/A

Advisory Board Statement

DPW will work with Community Planning and Sponsor Groups on development of technical guidelines and revisions to pertinent sections of County Code, Zoning Ordinance and Board Policy.

BACKGROUND:

Several communities in the unincorporated area have expressed a desire to create and place signage in the County right of way. In some cases, these are signs intended to identify and distinguish their community to visitors and neighbors or establish a greater sense of place and community character. In other cases, the signs would be meant to provide information to visitors about points of interest, special events and areas of importance.

The attached Feasibility Report provides an analysis and conclusions of how signs and banners could be installed in the public right of way. In order to accomplish this, amendments will need to be made to relevant ordinances and Board policy to facilitate placement of signs and banners in the public right of way. Additionally, staff would need to develop detailed guidelines to establish criteria on size, location and design; and, a detailed CEQA review will need to be initiated and a detailed environmental analysis be completed. It is anticipated this effort will involve coordinated interaction between County staff, members of the public, and community planning and sponsor groups. It is anticipated the following policies, codes and ordinances need to be amended:

- Board Policy J-5 Signage in Right Of Way
- County Code Sec 51.101 Signs, Marquees & Awnings
- Zoning Ordinance Section 6200, Off-Premise Sign Regulations

Permanent signs may include:

- Gateway Community Identification Signs: Non-commercial, civic-oriented decorative signs identifying the primary entrances into defined town centers, welcoming travelers, and expressing a community's sense of identity. These could be on the ground or over a street depending on community character and design standards.
- Directional Way Finding and Monument Signs: A network of permanent directional and destination signs to provide visitors guidance to prominent civic, cultural, visitor, and

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recreational destinations within a specified region, strategically placed in or near established town centers.

- Neighborhood Watch Signs: To help in the fight against crime, recognizable Neighborhood Watch signs allowed as a declaration to would-be criminals that they're being watched.

Temporary banners may include:

- Vertical Street Pole Banners: Designed with a festive look, vertical banners announcing or promoting a community event
- Horizontal Street Spanning Banners: Banners spanning the roadway from dedicated structural poles on both sides of the road designed with a festive look announcing or promoting a community event.

Approved signs and banners would need to be located in such a manner to minimize hazards to all roadway users and not detract from efficient road use. It is important to note that signs and banners installed in the public right of way within scenic areas could result in cumulative visual impacts to a community.

For permanent signs in the public right of way, it is anticipated that County staff would manage applications with a permit application review process. In an applicant-driven process, applicants receiving an approved encroachment permit for permanent sign installation would be responsible for production, design, manufacture, procurement, installation, maintenance, and removal of signs through approved, certified, licensed contractors. This method provides local neighborhoods and civic groups with the opportunity to provide direct services in their communities.

For temporary banners in the public right of way, it is anticipated that County staff would manage applications with a permit application review process. Staff identified three different options in the Feasibility Report for processing temporary banners:

- An applicant-driven process (described above) requires production, design, manufacture, procurement, installation, maintenance, and removal functions be performed by the applicant. This would be the most efficient option and would give civic organizations and community groups an opportunity to provide direct services in their communities.
- A Business Improvement District process would require Business Improvement Districts to be formed by the Board to handle the management and permitting processes of temporary banners. Administration tasks would include production, installation, maintenance, replacement, storage, and removal functions of temporary banners through private licensed contractors. This type of district formation would be new and untested for the County, although it has been successful in other areas. If the County were to pursue use of this type of district, policies and guidelines would first need to be developed to enable it, an entity within the county would have to be identified to take the lead on such type of district, and an assessment engineering firm would need to be procured to do such tasks as set boundaries, establish a rate and method of benefit

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assessment, and balloting would have to take place. Staff has not yet estimated the time and cost needed for enabling Business Improvement Districts in the County.

- The County could be responsible for all administration, production, installation, maintenance, replacement, storage, and removal functions of temporary banners using County staff and/or contractors. While not recommended, this option is used by some jurisdictions in other counties and states that operate sign shops. No cities or agencies within San Diego County currently operate such a program. This option would likely be more costly to applicants (roughly estimated at 40% to 50% more costly than obtaining a permit and using a private contractor) because County contractors that perform installations are generally subject to prevailing wage by law, which privately contracted service providers do not have to pay. A program such as this would also be likely to involve increased County staffing, with training, to run the program.

Today's action includes a recommendation that the Board direct that the County proceed with an applicant driven process.

The next steps, upon Board approval, would be for staff to reach out to engage community planning and sponsor groups, civic groups, external stakeholders and the Planning Commission, in developing technical guidelines using the applicant-driven process, prepare a draft ordinance for installation of signs and banners in the public right of way, and return to your Board within one year with a program for Board adoption.

Environmental Statement

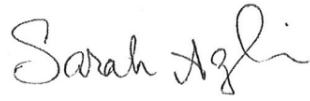
Today's action seeks authorization from the Board for staff to engage community groups and external stakeholders, develop technical guidelines, draft ordinance and policy revisions, and return to the Board of Supervisors in 12 months for consideration of proposed changes. Projects such as this involving only feasibility or planning studies for possible future action are statutorily exempt from CEQA review pursuant to Section 15262 of the State CEQA Guidelines. It is further exempt from CEQA review pursuant to Section 15061 (b)(3) of the state CEQA Guidelines because it can be seen with certainty that the proposed action will not have an effect on the environment. The proposed action does not commit the County to implementing any new off-premises sign requirements and instead is aimed at soliciting input from interested groups and returning to the Board with recommendations that may include ordinance and policy changes. In the meantime, the County's existing off-premises sign regulations remain in effect.

Linkage to the County of San Diego Strategic Plan

Today's proposed actions support the Sustainable Environments Strategic Initiative by supporting a network of roads that welcome travelers, help motorists find services, locate local points of interest, provide directional guidance, and enhance a sense of community while bolstering economic growth.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah Agli". The signature is fluid and cursive, with the first name "Sarah" written in a larger, more prominent script than the last name "Agli".

SARAH E. AGHASSI
Deputy Chief Administrative Officer

ATTACHMENT
Feasibility Report

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AGENDA ITEM INFORMATION SHEET |

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

June 20, 2012 (01), the Board directed the CAO to evaluate the feasibility of placement of monument, gateway, community identification, and directional signs in the County maintained right of way, identify necessary amendments to Board policies and ordinances and report back to the Board in 120 days.

BOARD POLICIES APPLICABLE:

Board Policies J-5 and B-29; Section 6200 of the Zoning Ordinance, Section 51.101 of the San Diego County Code of Regulatory Ordinances

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

N/A

ORIGINATING DEPARTMENT: Public Works

OTHER CONCURRENCE(S): Planning and Development Services

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